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Mandated areas

Outcomes achieved in response to the first session of the Forum

Note by the secretariat of the Forum

Summary

The present note provides an overview of developments related to the Permanent Forum on Indigenous Issues and to the recommendations made at its first session as reflected in its report. Action taken since the first session includes the establishment of the secretariat of the Forum and a variety of responses from the United Nations system and intergovernmental bodies.

* E/C.19/2003/1.

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Contents

		Paragraphs	Page
I.	Introduction	1–6	3
II.	Action taken by the Economic and Social Council and the General Assembly	7–9	4
III.	Establishment of the secretariat of the Permanent Forum on Indigenous Issues	10–11	4
IV.	Action taken by the United Nations system	12–45	5
	A. Inter-Agency Support Group for the Forum	12–14	5
	B. Intradepartmental task force	15	6
	C. Information-gathering	16–20	7
	D. Human rights	21–22	8
	E. Economic and social development	23–28	8
	F. Environment	29–43	9
	G. Children and youth	44–45	12
V.	Action taken by regional organizations: Council of Europe	46–49	13
VI.	Pre-sessional meeting of the Forum	50	14

I. Introduction

1. In its resolution 2000/22, the Economic and Social Council decided to establish the Permanent Forum on Indigenous Issues with a mandate to discuss indigenous issues relating to economic and social development, culture, the environment, education, health and human rights. In particular, the Forum was asked to provide expert advice and recommendations on indigenous issues to the Council, as well as to programmes, funds and agencies of the United Nations, through the Council; to raise awareness and promote the integration and coordination of activities relating to indigenous issues within the United Nations system; and to prepare and disseminate information on indigenous issues.

2. The first session of the Forum was held in New York from 13 to 24 May 2002. In addition to the members of the Forum, the session was attended by some 900 observers representing Governments, the United Nations system, indigenous peoples organizations and other non-governmental organizations.

3. At its first session the Forum proposed four draft decisions for adoption by the Council, regarding the establishment of the secretariat of the Forum (draft decision I); a request for summary records of its public meetings (draft decision II); the venue and dates for its second session (draft decision III); and the authorization of an informal intersessional meeting of Forum members for the purposes of strategic planning and a three-day pre-sessional meeting of Forum members prior to its second session (draft decision IV).

4. The Forum also identified a number of proposals, objectives, recommendations and areas of possible future action, and through the Council requested States, the United Nations system and intergovernmental organizations, indigenous peoples, the private sector and non-governmental organizations to assist in their realization.[1]

5. The Forum made recommendations on its six substantive mandated areas — economic and social development; culture; the environment; education; health; and human rights. Specific recommendations were also made regarding information-gathering from the United Nations system, children and youth, and the development of a code of conduct for Forum members. The recommendations concerning information-gathering from the United Nations system included communications/interactions with United Nations agencies; additional meetings; data collection; technical seminar; and a triennial report on the state of the world's indigenous peoples. The United Nations system's response to those extensive and broad-ranging recommendations is set out below.

6. The present note provides an overview of action taken in response to the Forum's work at its first session. Additional information received from the United Nations system and by intergovernmental bodies and governments and two non-governmental organizations in consultative status with the Council are provided in separate documents. As of 12 March 2003, information has been received from: Ecuador, Mexico, Finland, Department of Public Information of the United Nations Secretariat, Food and Agriculture Organization of the United Nations (FAO), International Labour Organization (ILO), secretariat of the Convention on Biological Diversity, United Nations Human Settlements Programme (UN-Habitat), United Nations Children's Fund (UNICEF), World Health Organization (WHO), World Intellectual Property Organization (WIPO), Council of Europe, International Indian Treaty Council and Tebtebba Foundation.

II. Action taken by the Economic and Social Council and the General Assembly

7. At its substantive session of 2002, the Economic and Social Council adopted resolution 2002/28, in which it recommended to the General Assembly the adoption of a draft resolution concerning, inter alia, the appointment of a secretariat for the Forum and the establishment of a voluntary fund for the Forum; decision 2002/285 concerning the second session of the Forum; decision 2002/286 regarding the review of United Nations mechanisms concerning indigenous issues; and decision 2002/287 regarding the provision of resources for the secretariat.

8. In October 2003, the Secretary-General received a nomination from the Government of China to fill the outstanding vacancy on the Forum. The candidate, Qin Xiaomei was elected by the Council as the sixteenth member of the Forum on 8 October 2002

9. In its resolution 57/191, the General Assembly, inter alia, requested the Secretary-General to appoint a secretariat unit within the Department of Economic and Social Affairs of the United Nations Secretariat to assist the Forum in carrying out its mandate and to establish a voluntary fund for the Forum for the purpose of funding the implementation of recommendations made by the Forum, through the Council, as well as funding activities under its mandate. The Assembly also encouraged the submission of applications of indigenous persons to the Secretariat, and invited the Secretary-General to give broad publicity to vacancies, when available.

III. Establishment of the secretariat of the Permanent Forum on Indigenous Issues

10. The secretariat of the Forum was established on 27 February 2003 in the Division for Social Policy and Development, Department of Economic and Social Affairs, and was provided with interim staff. The functions of the secretariat are designated in the General Assembly resolution 57/191 and in document A/C.3/57/L.26. Its central function is to provide substantive assistance and support to the Forum in carrying out its mandate. The other functions indicate how that is to be done: coordinating inputs of the United Nations system to the programme of work of the Forum; chairing the intradepartmental task force within the Department of Economic and Social Affairs for the Forum; representing and advocating the policies of the Forum before United Nations policy-making bodies, agencies, programmes and funds; providing support to the Chair of the Inter-Agency Support Group for the Forum; pursuing the integration of indigenous issues within the intergovernmental and inter-agency system; consulting with representatives of United Nations Member States, indigenous organizations, academia and others concerned with a view to implementing the programme of work of the Forum; implementing activities for raising the awareness of indigenous issues among non-governmental organizations, the media, academia and civil society at large; and administering the voluntary fund for the Forum.

11. Since its launch, the secretariat has undertaken a variety of activities, including the establishment of a technical office and infrastructure; liaison with the Chairperson and members of the Forum to prepare the provisional agenda and provisional programme of work of the second session, as well as on other issues; organization of the second session, including the coordination and processing of documentation; provision of liaison between other parts of the United Nations system and the Forum on substantive issues; distribution of information to States, the United Nations system, indigenous peoples organizations, non-governmental organizations and academics regarding the establishment of the secretariat and the second session and to request input to the second session; establishment of a web site to facilitate information exchange and preregistration for future Forum sessions (http://www.un.org/esa/socdev/pfii/); cooperation with the Department of Public Information to initiate press releases and develop a media strategy to publicize the work of the Forum; establishment of the voluntary fund for the Forum; briefings to United Nations Member States on Forum developments and to encourage donations to the voluntary funds; cooperation with the voluntary fund to encourage the sponsoring of indigenous participants in the second session of the Forum; cooperation with various parts of the United Nations system as well as non-governmental organizations and indigenous peoples' organizations to encourage and support broad representation at the upcoming session and parallel events; cooperation with the Inter-Agency Support Group to promote a coordinated substantive response to the report of the Forum on its first session and participation in the meeting of the Group convened by the World Bank (Washington, D.C., 17 and 18 February 2003); participation in the follow-up workshop to the World Summit on Sustainable Development organized by the Office of the United Nations High Commissioner for Human Rights (Washington, D.C., 19 February 2003); participation in an expert seminar on indigenous children organized by UNICEF's Innocenti Research Centre (Florence, 5 to 7 March 2003); and establishment of an intradepartmental task force within the Department of Economic and Social Affairs to help make available to the Forum the relevant expertise of the Department.

IV. Action taken by the United Nations system

A. Inter-Agency Support Group for the Forum

12. The Inter-Agency Support Group for the Forum has held two meetings since the first session of the Forum. The first meeting, convened by the ILO, was held in Geneva on 19 July 2002, with the participation of the Office of the United Nations High Commissioner for Human Rights, WHO, the United Nations Development Programme (UNDP), WIPO, the United Nations Institute for Training and Research (UNITAR), the United Nations Environment Programme (UNEP), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and UNICEF. The Group considered ways to follow up the recommendations and priorities of the Forum. It discussed advances in the recognition of indigenous rights as evidenced by further ratifications of ILO Convention No. 169 on indigenous and tribal peoples; the WHO global plan of action to improve the health of indigenous peoples; the revision of the World Bank Policy on indigenous peoples; the research conducted by WIPO to explore the protection of traditional knowledge; the role of UNITAR in training and briefing of members of the Forum before the first session and further

regional training being conducted by UNITAR for various groups; the UNEP Nordic Saami programme for capacity-building and participation of the indigenous peoples of the Russian Federation in sustainable development; the indigenous fellowship programme of the Office of the United Nations High Commissioner for Human Rights and its collaboration with UNESCO; and the work of UNESCO in promoting cultural diversity through the recently adopted Declaration on Cultural Diversity. UNICEF highlighted its programmes throughout Latin America, which focus on indigenous children as a particularly vulnerable group. The Office of the High Commissioner also highlighted its activities during the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which included various seminars and workshops, and the work of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples and the integration of indigenous issues in the technical cooperation programme of the Office of the High Commissioner. A number of examples of inter-agency cooperation were promoted, including a workshop on the theme "Indigenous peoples, the private sector, natural resources, energy, mining companies and human rights" organized by the Office of the High Commissioner and the ILO from 5 to 7 December 2001, and a workshop in Botswana on the theme "Multiculturalism in Africa" organized by the Office of the High Commissioner, 18 to 22 February 2002 in Gaborone. Further collaboration was discussed as a good strategy for addressing the recommendations of the Forum.

13. The second meeting of the Group held since the first session of the Forum was convened by the World Bank in Washington, D.C., on 17 and 18 February 2003, with the participation of the secretariat of the Forum, the Department of Economic and Social Affairs, WHO, the Office of the High Commissioner, UNDP, UNICEF, FAO, the ILO and UN-Habitat. At the meeting, ways were discussed to further collaborate in assisting the Forum in the implementation of its mandate, in particular ways of working with the Forum and its secretariat; the critical catalytic roles of the members of the Group within their respective agencies; support for inter-agency focal points; and written contributions to the second session of the Forum. In particular, the Group decided to prepare a common discussion paper on data collection and disaggregation (E/C.19/2003/4), which was coordinated by WHO.

14. At its first session, the Forum requested that the Group expand as broadly as possible, and in particular requested that the Joint United Nations Programme on HIV/AIDS (UNAIDS), UNEP and others be included in its activities. Accordingly, UNAIDS and UNEP were invited to attend Group meetings.

B. Intradepartmental task force

15. The intradepartmental task force held its first meeting on 24 February 2003 to gauge the areas of work and expertise within the Department of Economic and Social Affairs. The Non-Governmental Organizations Unit within the Intergovernmental Policy Branch of the Department's Division for Social Policy and Development has provided extensive support with preregistration, registration and the coordination of parallel events. Other expertise within the Department relevant to the Forum's work includes advice from its secretariat regarding work on traditional forest-related knowledge and expertise on poverty eradication and unemployment, ageing and older person's issues, gender and the advancement of

women, family issues, youth issues, population and demographics, mortality, migration, disability issues, conflict resolution and statistics.

C. Information-gathering

16. In response to the recommendations of the Forum at its first session, its secretariat commenced gathering and collating general materials, including policies, to establish a resource base for Forum members, as well as focused reports of the United Nations system in response to Forum recommendations. The secretariat is collating a biennial calendar of indigenous events which will be available through its web site.

17. The secretariat of the Forum cooperated with the Department of Public Information of the United Nations Secretariat and the Non-Governmental Organizations Committee on the Decade of the World's Indigenous People to organize an NGO briefing on the Forum at United Nations Headquarters on 20 February 2003, with the participation of the Chairperson of the Forum and the Permanent Mission of Mexico to the United Nations. The Forum secretariat also conducted a United Nations radio interview to publicize the Forum. The Department of Public Information though its Strategic Communications Division, is developing a media and communications strategy in consultation with the Forum secretariat. For the first session of the Forum, the Department had prepared daily press releases; arranged press conferences by the Forum; supported indigenous media representatives sponsored by the voluntary fund for the Decade of the World's Indigenous People; assisted in publishing side events and panels; undertaken media outreach; and provided radio, video and photographic coverage. The Department will offer similar support for the second session of the Forum.

18. Within the context of the preparation of its flagship *Report on the World Social Situation* and in order to promote mainstreaming of indigenous issues, the Department of Economic and Social Affairs has decided as a new initiative to include a chapter in the *Report* entitled "Indigenous peoples: vulnerabilities and policy responses: a social perspective". The *Report* will be available to the General Assembly at its fifty-eighth session.

19. As to the recommendation to create a United Nations web site on indigenous issues, the secretariat of the Forum has established a web site which could serve eventually as a web focal point for indigenous issues within the United Nations at http://www.un.org/esa/socdev/pfii/. Links to the web site are continually expanding and currently include links to UNEP, UNESCO, UNITAR, the United Nations Population Fund, UNICEF, FAO, WHO, WIPO, UN-Habitat, the Convention on Biological Diversity, the ILO, the Office of the United Nations High Commissioner for Refugees, UNDP, the World Bank the Department of Public Information and the Office of the United Nations High Commissioner for Human Rights.

20. In further support of that recommendation, the ILO is developing a thematic, interdepartmental ILO web site on indigenous and tribal peoples. It is the intention that this web site will include information on all relevant ILO projects and programmes that concern indigenous and tribal peoples. A web site on the issue has been established by the ILO Costa Rica Office (http://www.oit.or.cr/mdtsanjo/indig/index.htm).

D. Human rights

21. The Forum recommended that the Office of the United Nations High Commissioner for Human Rights implement international and regional human rights training for indigenous peoples in Africa and Asia. The ILO collaborated with the Office of the High Commissioner and UNESCO to implement a human rights training and consultation programme for Pygmy peoples of the Central African region, which was held in Cameroon in November 2002. In addition, the ILO will be implementing a regional training session for indigenous professionals in Asia later in 2003, as well as an international indigenous and tribal peoples fellowship programme from July to September 2003, which will be implemented in close coordination with the indigenous fellowship programme of the Office of the High Commissioner. Information supplied by the Office of the High Commissioner in response to the recommendations of the Forum will appear in a separate pre-sessional document.

22. Since the ILO works at the local, national, regional and international levels on issues pertaining to indigenous and tribal peoples, it has organized specific regional consultations or taken part in several regional activities concerning indigenous and tribal peoples during the past year, and has several subregional or regional activities planned in the forthcoming months (for further information, see E/C.19/2003/6).

E. Economic and social development

23. In its report on its first session noting that it is of the utmost importance to ensure respect for the rights of indigenous peoples in the planning and implementation of economic and social development projects, the Forum requested the ILO to continue to urge ratification of ILO Convention No. 169 concerning indigenous and tribal peoples in independent countries, particularly by African and Asian countries, none of which have ratified it, and to work towards the implementation of the Convention in countries that have already ratified it.

24. The ILO approach in the area of indigenous and tribal peoples falls within two major areas: (a) supervision of the two conventions relating to indigenous and tribal peoples, and (b) technical assistance. The two activities are carried out in a complementary manner. Promotional and supervisory work is under the responsibility of the International Labour Standards Department. Other technical assistance is carried out by a number of different departments, notably the Cooperatives Branch, which is responsible for the INDISCO programme.

25. The ILO has one interregional technical cooperation project whose specific aim is to promote the ratification of ILO Convention No. 169. However, ratification is necessarily a long-term process. Therefore the project to promote ILO policy on indigenous and tribal peoples also aims to promote the application of the principles of the Convention, as well as general awareness of ILO Convention No. 169, in the countries in which it operates. The project operates primarily in Asia and Africa.

26. In addition to the project to promote ILO policy on indigenous and tribal peoples, work to promote ILO Convention No. 169 is also undertaken by several of the ILO field and area offices in various regions, and by the Equality and Employment Branch of the International Labour Standards Department, which hosts the project. In those countries that have already ratified Convention No. 169, there

are two main ways in which the ILO works towards the effective implementation of the Convention.

27. The first is through the ILO regular supervisory machinery, which constitutes an ongoing process of dialogue between the ILO and the Governments concerned, with input from indigenous and tribal peoples. Aside from the regular reporting process, there is also a process whereby claims of non-observance of the Convention by States, in the form of complaints or representations, can be examined. The second way in which the ILO is working towards effective implementation of Convention No. 169 is through technical assistance.

28. FAO noted that its Director-General nominated a focal point for indigenous issues in 2001, in response to the request of the United Nations High Commissioner for Human Rights for the formation of the Inter-Agency Support Group for the Forum. Since then, FAO has established an institutional network to deal with indigenous issues in which each of its technical departments has nominated a focal point to support the activities of the Organization on those matters. FAO is reacting positively to the recommendations and priorities of the Forum. It is an active member of the Group and maintains a substantial portfolio of activities involving indigenous peoples (see E/C.19/2002/2/Add.13). FAO participates in ongoing support for the activities of the Forum and its newly formed secretariat, as evidenced by its participation in the Group meeting (Washington, D.C., 17 and 18 February 2003) and contributions to the United Nations system joint paper on data collection and disaggregation by ethnicity.

F. Environment

29. In response to the Forum's recommendations regarding sustainable development and environment issues, the Forum, represented by Parshuram Tamang and the secretariat of the Forum, attended a follow-up workshop to the World Summit on Sustainable Development, sponsored by the Voluntary Fund for the Decade of the World's Indigenous People and coordinated by the Office of the United Nations High Commissioner for Human Rights, in Washington, D.C., on 19 and 20 February 2003. Further to the recommendations regarding environment and participation of indigenous peoples, the secretariat of the Forum and its Inter-Agency Support Group are working closely with the secretariat of the Convention on Biological Diversity to maximize indigenous participation at relevant biological diversity meetings. The Convention secretariat has also contributed to the indigenous calendar to ensure that biodiversity meetings are well publicized.

Information received from the secretariat of the Convention on Biological Diversity

30. The secretariat of the Convention on Biological Diversity expressed its readiness to participate in the technical workshop recommended by the Forum at its first session, and noted that consultation is taking place with the secretariats of international environmental conventions to explore the possibility to cooperate in order to facilitate collaboration with regard to the participation and involvement of indigenous and local communities in discussions related to environment.

31. At its first session, the Forum requested the United Nations system and related entities, as well as representatives of indigenous peoples and nations, to look into how they can be engaged in environmental and development endeavours. The secretariat of the Convention notes that most of the matters identified in paragraph 29 of the report of the Forum are addressed under article 8 (j) of the Convention and its related provisions, articles 10 (c), 17.2 and 18.4. Article 8 (j) is concerned with the obligations of contracting parties, subject to national legislation, to respect, preserve and maintain the knowledge, innovations and practices of indigenous and local communities relevant to the conservation and sustainable use of biological diversity; the wider application of such knowledge, innovations and practices with the approval of its holders; and the equitable sharing of benefits arising from their utilization.

32. Article 10 (c) requires contracting parties to protect and encourage customary use of biological resources in accordance with traditional cultural practices that are compatible with conservation and sustainable use requirements. Articles 17.2 and 18.4, respectively, call for the exchange of information and technology relevant to the conservation and sustainable use of biological diversity, including indigenous and traditional information and technology.

33. Those requirements are cross-cutting in nature and are therefore to be taken into account in the thematic programmes of the Convention concerning agricultural biological diversity, forest biodiversity, inland water ecosystems, marine and coastal ecosystems, and dry and sub-humid lands, and in the upcoming thematic programme concerning mountain ecosystems. Similarly, article 8 (j) and related provisions also address other cross-cutting areas of the Convention, such as in situ conservation, public education and awareness, access to genetic resources, incentive measures and research and training.

34. To oversee the implementation of article 8 (j) and related provisions, an ad hoc open-ended intersessional working group was established and mandated by decision IV/9 of the Conference of the Parties to the Convention. A two-phase programme of work on article 8 (j), was endorsed by decision V/16 of the Conference of the Parties based on the following elements: participatory mechanisms for indigenous and local communities; status and trends in relation to article 8 (j) and related provisions; traditional cultural practices for conservation and sustainable use; equitable sharing of benefits; exchange and dissemination of information; monitoring elements; and legal elements. Seventeen tasks were identified for the programme of work. The working group has held two meetings, in Seville in March 2000 and in Montreal in February 2002.

35. As to the integration on traditional knowledge and modern science, the Conference of the Parties to the Convention, in the preambles to both decision III/14 and IV/9, recognized that traditional knowledge should be given the same respect as any other form of knowledge in the implementation of the Convention. That recognition is also embedded in principle 11 of the ecosystem approach endorsed by the Conference of the Parties in its decision V/6, which has been adopted as a framework for the analysis and implementation of the objectives of the Convention and in the elaboration and implementation of its various thematic and cross-cutting work programmes.

36. On the matter of the equitable sharing of benefits, in its decision VI/24 A the Conference of the Parties adopted, the Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits Arising out of their Utilization. The Bonn Guidelines make specific reference to articles 8 (j) and 10 (c) and address matters relating to prior informed consent and mutually agreed terms for granting access and benefit sharing. The working group will further elaborate on prior informed approval/consent and equitable sharing of benefits in relation to access and use of traditional knowledge and associated genetic resources.

37. At its sixth and most recent meeting, held at The Hague in April 2002, the Conference of the Parties to the Convention made a number of decisions, most notably decision VI/10, which are relevant to matters raised by the Forum at its first session.

38. In carrying out its mandate, the working group on article 8 (j) is in the process of preparing two sets of draft guidelines for the consideration of the Conference of the Parties at its seventh meeting. The guidelines concern participatory mechanisms for indigenous and local communities, particularly women from such communities, in meetings and work programmes of the Convention, and the conduct of cultural, environmental and social impact assessments regarding development proposed to take place on, or which may impact on, sacred sites and lands and waters traditionally occupied or used by indigenous and local communities.

39. The first phase of the composite report on status and trends regarding the knowledge, innovations and practices of indigenous and local communities relevant to the conservation and sustainable use of biological diversity is currently being undertaken by a team of consultants. The first phase of the report will provide an assessment of the current state of retention of biodiversity-related traditional knowledge in all major ecosystem categories, as well as traditional knowledge of plant genetic resources for food and agriculture, of animals and micro-organisms for food and other purposes, and the status of traditional medicinal knowledge.

40. The working group has undertaken a comprehensive assessment, in collaboration with the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, of the effectiveness of existing subnational, national and international instruments, particularly intellectual property rights instruments, that may have implications for the protection of indigenous and local community traditional knowledge, innovations and practices. At its third meeting, to be held in January 2004, the working group will be addressing the issue of sui generis systems for the protection of traditional knowledge, innovations and practices relevant to the conservation and sustainable use of biological diversity for the consideration of the Conference of the Parties to the Convention at its seventh meeting, in 2004. They will address, inter alia, the recognition of relevant customary law, ownership of traditional knowledge, prior informed approval/consent, and equitable sharing of benefits arising from the use of traditional knowledge, as well as institutional and procedural matters, and will provide an analysis of the existing intellectual property mechanisms.

Information received from UNEP

41. UNEP pledged support for the newly established Forum secretariat and stressed that, pursuant to General Assembly resolution 57/191, UNEP will strengthen an interactive dialogue and partnership with the Forum. In recent years,

UNEP has given increased attention to indigenous peoples' rights, as evidenced by the high-level round table on cultural diversity and biological diversity for sustainable development, which was chaired by the President of France, Jacques Chirac, on 3 September 2002 during the World Summit on Sustainable Development in Johannesburg. UNEP also hosted the fourth International Conference of the International Alliance of Indigenous and Tribal Peoples of the Tropical Forests at UNEP in Nairobi in November 2002.

42. UNEP systematically incorporates indigenous peoples' views in its resource management environmental policies and programmes. UNEP activities encompass the establishment of a process to empower indigenous peoples through the adoption of appropriate policies and legal instruments at the national level, advocacy for the recognition of indigenous values, traditional knowledge and practices, as well as capacity-building for indigenous communities based on adaptation and exchange of traditional experience. UNEP has raised awareness of the negative effects of globalization, such as unsustainable mining practices and the building of large dams, and the need to reaffirm indigenous peoples' human rights and land rights. UNEP is committed to encouraging and facilitating the participation of indigenous peoples in global environmental negotiations, including in the UNEP Governing Council/Global Ministerial Environmental Forum. UNEP also holds ad hoc meetings with indigenous peoples at its New York Liaison Office and regional offices and within its Division of Policy Development and Law. UNEP strives to ensure that policy development and programme implementation integrate the concerns of indigenous peoples in a streamlined manner. The UNEP Civil Society/NGO strategy is enlisting the participation of all major groups in consultations and civil society forums that are held, keeping in mind the key role, played by indigenous organizations. During all the civil society events held since 2000, indigenous community representatives have been invited to participate and voice their concerns.

43. Concurrently with the above-mentioned activities, UNEP has undertaken many successful information, advocacy and outreach activities. In its Global 500 Award (for environmental achievement) selection process, special attention is given to nominees from indigenous communities. In the campaign on the environmental dimension of the United Nations Year of Dialogue among Civilizations, UNEP has underlined the current trends undermining cultural diversity of the planet, which erode the rich heritage of indigenous peoples and threaten more than 2,500 languages. UNEP's Millennium Report on the Environment, *Global Environmental Outlook 2000*, devoted a chapter to indigenous populations in the Arctic, and the recent UNEP publication, *New Way Forward: Environmental Law and Sustainable Development*, includes a chapter dedicated to indigenous peoples and the environment. Finally, UNEP's Civil Society and NGO Liaison Unit is liasing with the secretariat of the Forum to prepare and publish a book, *Women and Environment: A Legacy of Knowledge*, in collaboration with indigenous women and grass-roots organizations around the world.

G. Children and youth

44. In consultation with the Chairperson and members of the Forum, the Forum secretariat has worked closely with members and the Inter-Agency Support Group, in particular UNICEF, to ensure that the Forum's priority emphasis on children and

youth is reflected in the agenda of the second session, which includes a high-level panel and dialogue on indigenous children and youth (see E/C.19/2003/1).

45. UNICEF, through its Innocenti Institute in Florence, is preparing a digest on the indigenous child to be issued in mid-2003. In that process, UNICEF has sought the cooperation of the secretariat of the Forum and of Ida Nikolaisen, member of the Forum with portfolio on children and youth. In response to the recommendation of the Forum at its first session, the Office of the United Nations High Commissioner for Human Rights and UNICEF, as well as the Committee on the Rights of the Child, are preparing a day of general discussion on indigenous children at the Committee's September 2003 session, to be held on 19 September 2003 (for information provided by UNICEF, see E/C.19/2003/13).

V. Action taken by regional organizations: Council of Europe

46. The Council of Europe indicated that it follows with great interest the efforts of the United Nations to strengthen the protection of indigenous peoples, and the establishment of the Forum is regarded as a most important step in that respect. The Council noted with pleasure that the Forum has decided to request appropriate regional organizations to provide it with information on how indigenous issues have been addressed in their respective mechanisms for the protection of human rights.

47. Although the Council does not have instruments devoted specifically to the protection of indigenous peoples, its treaties and mechanisms on human rights, in particular those pertaining to the protection of national minorities, are also of clear relevance for indigenous peoples. In that connection, it drew attention to the Framework Convention for the Protection of National Minorities, which entered into force in 1998, has been ratified by 35 States, including a number of countries with indigenous peoples, and ranges from the development of culture to participation in public affairs. The Advisory Committee on National Minorities, a committee comprised of 18 independent experts which gather with the Committee of Ministers, monitors the implementation of the Convention, and has concluded that the recognition of a group of persons as constituting an indigenous people does not exclude persons belonging to that group from benefiting from the protection afforded by the Convention. The Committee has also underlined that the applicability of the Convention does not necessarily mean that authorities should in their domestic legislation and practice use the term "national minority" to describe the group concerned.

48. The Council noted that the protection of indigenous peoples has been a central issue in the context of the monitoring of the implementation of the Convention in the countries concerned. In the context of its country visits, the Committee has met regularly with representatives of indigenous peoples to seek information on their situation (in 2002, the Committee visited Norway, the Russian Federation and Sweden), and in some of its country-specific opinions has drawn attention, inter alia, to the issue of land rights and to the linguistic rights of the Saami. The publicized opinions of the Committee and corresponding resolutions of the Committee of Ministers are available online at www.coe.int/minorities.

49. In addition to the Convention, there are a number of other Council instruments that can benefit indigenous peoples. As to language issues, the European Charter for Regional and Minority Languages and its monitoring mechanism also offer

guarantees for the protection of the Saami language. In addition, the European Convention on Human Rights also provides protection for persons belonging to indigenous peoples, and it has recently been strengthened further with the adoption of Protocol 12, which enlarges the non-discrimination guarantees contained therein. In conclusion, the Council noted that the protection of indigenous peoples has also featured in the relevant reports of the European Commission against Racism and Intolerance.

VI. Pre-sessional meeting of the Forum

50. A three-day pre-sessional meeting of the Forum will be held at United Nations Headquarters from 7 to 9 May 2003. The secretariat is consulting with the Chairperson and members of the Forum for the preparation of the pre-sessional meeting.

Notes

[1] See *Official Records of the Economic and Social Council, Supplement No. 23* (E/2002/43/Rev.1 and Rev.1/Corr.1), chap. I, sect. B.